

Dicamba Talking Points

Internal and Deliberative

- Today, as part of the Biden-Harris administration's commitment to transparency and scientific integrity, the Agency is providing a summary of dicamba-related incident reports from the 2021 growing season obtained from pesticide registrants, States, the general public, and non-governmental organizations.
- In October 2020, after the court vacated the Agency's 2018 dicamba registrations, EPA issued new registrations for two dicamba products and extended the registration of an additional dicamba product.
- These registration decisions were made with some input of EPA's career scientists and managers and were expected to address the risk concerns noted by the Ninth Circuit.
- All three registrations included new measures that the Agency expected would prevent off-target movement and damage to non-target crops and other plants.
- Despite the control measures implemented in EPA's October 2020 dicamba registration decision, the 2021 incident reports show little change in number, severity, or geographic extent of dicamba-related incidents when compared to the reports the Agency received before the 2020 control measures were required. EPA received approximately 3, 500 dicamba-related incident reports from the 2021 growing season. These incident reports indicate four major findings:
 - First, more than one million acres of non-dicamba-tolerant soybean crops were allegedly damaged by off-target movement of dicamba.
 - Second, a range of non-target agricultural crops were allegedly affected by dicamba, such as sugarbeets, rice, sweet potatoes, peanuts, and grapes.
 - Third, dicamba allegedly damaged non-agricultural plants and trees, such as those that grow near homes and in wild areas, including a 160,000-acre wildlife refuge.
 - And fourth, more than 280 incident reports came from counties where additional restrictions are required to protect endangered species when dicamba is applied to dicamba-tolerant soybean and cotton crops.
- Based on prior research and numerous stakeholder meetings, EPA has reason to believe the number of incidents reported significantly understates the actual number of incidents related to dicamba use. For example, in 2020, EPA estimated that one in 25 dicamba incidents was reported to EPA. No evidence available to EPA suggests that underreporting has changed.
- Given the new information from the 2021 growing season, EPA is reviewing whether over-the-top dicamba can be used in a manner that does not pose unreasonable risks to non-target crops and other plants, or to listed species and their designated critical

habitats. EPA is also evaluating all of its options for addressing future dicamba-related incidents.

- The regulatory tools that the Agency could use to address the extent and severity of the alleged dicamba-related incidents are unlikely to be fully implemented by the 2022 growing season due to the statutory processes the Agency is required to follow.
- However, EPA is committed to helping states address issues related to incidents in their jurisdictions. Additionally, if a state wishes to further restrict or narrow the over-the-top uses of dicamba, the Agency will work with them to support their goals. EPA's decisions will continue to be informed by information submitted by, as well as discussions with, scientists, academics, state agriculture extension agents, pesticide registrants, USDA, the Weed Science Society of America, the Association of American Pesticide Control Officials, and several other key stakeholders.
- Additionally, EPA will continue to engage with the public and direct stakeholders as it evaluates the use of over-the-top dicamba.
- EPA's first responsibility is to protect human health and the environment, and to be consistent with that principle, the agency will continue to evaluate incident reports, cost and benefit information, stakeholder feedback, and the potential impact of mitigation before making a decision regarding over-the-top dicamba use.
- To learn more about dicamba-related incidents from the 2021 growing season, we encourage you to view the report EPA published today on www.regulations.gov.